

Form RE-05 REQUIREMENTS: Acid Rain, CAIR, and CAMR

ACID RAIN PROGRAM UNDER TITLE IV

(567 IAC 22.120 - 22.148 *Acid Rain*; 1990 Clean Air Act, as amended, Sections 401-416)

Utilities and other facilities which combust fossil fuel and generate electricity for wholesale or retail sale may be subject to Acid Rain program requirements, including the requirement to hold an **Acid Rain permit under 40 CFR 72 and 567 IAC 22.122.**

Utilities designated as "Phase I" or "Phase II" sources will need to apply for an Acid Rain permit. Other facilities that may be permitted are certain new units that began commercial operation on or after November 15, 1990, and existing units that increase electric generation from less than 25 megawatts to 25 megawatts or more.

Nationally standardized forms are required for applying for Acid Rain Permits or for the Acid Rain portions of the Title V permit application and compliance plans. The compliance plan content requirements (567 IAC 22.105(2)"h" - Standard application form and required information - compliance plan) for Title V operating permit applications apply and must be included in the acid rain portion of the compliance plan of Title IV affected sources (567 IAC 22.105(2)"j").

Certain cogeneration units, qualifying facilities, independent power facilities, and solid waste incinerators may need to apply for a permit. Requirements to apply for an Acid Rain Permit are detailed in 567 IAC 22.128. Certain types of units will not be subject to the requirements of the Acid Rain program and are listed in 567 IAC 22.122(2). Other units may be exempted (see 567 IAC 22.123 *Acid Rain Exemptions*). Facilities may petition EPA for an acid rain applicability determination. Petitions must conform to EPA requirements and should be sent by the facility's certifying official to:

Regular or certified mail address:

US EPA
Clean Air Markets Division
1200 Pennsylvania Avenue, NW
Mail Code 6204N
Washington, DC 20460

Overnight mail address:

Package delivery / Street Address:
US EPA
Clean Air Markets Division (6204J)
1310 L St., NW
Washington, DC 20001
Tel: (202) 343-9150

For further information about applying for an applicability determination, call EPA's Acid Rain Hotline @ (202) 343-9620.

Acid Rain permits will be required in addition to Title V Operating permits. Applicable requirements from the Acid Rain regulations must be included in the Title V Operating Permit application.

Following is a list of selected Acid Rain Regulations that can be obtained by calling the Acid Rain Hotline at (202) 343-9620:

Acid Rain Program: General provisions and permits, allowance system, continuous emission monitoring, excess emissions, and administrative appeals.

40 CFR 72 as amended through October 19, 2007

40 CFR 73, 74, and 78 as amended through April 28, 2006

40 CFR 75 as amended through September 28, 2007

40 CFR 76 as amended through October 15, 1999

40 CFR 77 as amended through May 12, 2005

Acid Rain Program: Nitrogen oxides emission reduction program.

40 CFR 76 as amended through October 15, 1999

Acid Rain Program: Permits and allowance system (Opt-in).

40 CFR 74 as amended through April 28, 2006

Acid Rain Program: Permits and allowance system (Substitution & compensating units).

40 CFR 72 as amended through October 19, 2007

40 CFR 73 as amended through April 28, 2006

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CLEAR AIR INTERSTATE RULE (CAIR)

(567 IAC 34.200 – 34.229 *CAIR*; 567 IAC 21.1(4) *CAIR Emissions Inventory*; 567 IAC 22.120 - 22.123 *Acid Rain*; 1990 Clean Air Act, as amended, Section 110; 40 CFR Part 96, 40 CFR 51.125)

Utilities and other facilities which combust fossil fuel and generate electricity for sale may be subject to CAIR program requirements, including the requirement to hold an CAIR permit under 40 CFR 96 subparts CC, CCC, and CCCC, and 567 IAC 34.203, 34.210, and 34.223.

Applicability:

Any stationary boiler or combustion turbine is a CAIR affected unit if it burns fossil fuel, has served, on or after November 15, 1990, a generator of greater than 25 MW nameplate capacity that produces electricity for sale, except:

1. A qualifying cogeneration unit and not selling more than one-third of unit's potential electrical output, or 219,000 MWh, whichever is greater on an annual basis; or
2. A qualifying solid waste incineration unit
 - a. commencing operation before January 1, 1985 and with an average annual fuel consumption of non-fossil fuel exceeding 80 percent (on a Btu basis) for 1985–1987 and for any 3 consecutive calendar years after 1990; or
 - b. commencing operation after January 1, 1985 and with an average annual fuel consumption of non-fossil fuel exceeding 80 percent (on a Btu basis) for the first 3 calendar years of operation and for any 3 consecutive calendar years after 1990.

Please read 40 CFR 96 subparts AA, AAA, and AAAA for complete applicability information, including retired unit exemptions.

You may choose to opt in your unit as a CAIR Opt-In unit if your unit does not fit above applicability determination. Please read 40 CFR 96 subpart II – CAIR NO_x Opt-In Units, subpart III – CAIR SO₂ Opt-In Units, and subpart IIII – CAIR NO_x Ozone Season Opt-In Units for detailed information.

CAIR Permits

CAIR permits will be issued by the Iowa Department of Nature Resources. CAIR permits will be complete and separable portions of Title V permits, required only for sources subject to Title V, and issued, renewed, and revised according to Title V regulations. CAIR permits will identify the facility and each CAIR NO_x, SO₂, and NO_x Ozone Season unit, as well as the standard requirements under 40 CFR 96.106, 96.206, and 96.306. Each permit is deemed to incorporate automatically the definitions of terms under 40 CFR 96.102, 96.202, 96.302 and, upon recordation by EPA, every allocation, transfer, or deduction of a NO_x, SO₂, and NO_x Ozone Season allowance to or from the compliance account of the CAIR source.

Application Deadlines

CAIR – Nitrogen oxide sources

1. Initial permit – By the later of July 1, 2007, or 18 months prior to the date on which the CAIR annual NO_x unit commences operation, the CAIR designated representative of any CAIR NO_x source required to have a Title V operating permit shall submit to the permitting authority a complete CAIR permit application (see 40 CFR Part 96.122) for each CAIR NO_x unit.
2. Renewal permit – At least 6 months but not more than 18 months prior to the date of CAIR permit expiration if the application is for a CAIR permit renewal (see 40 CFR Part 96.122).

CAIR - Nitrogen oxide ozone season sources

1. Initial permit - By the later of July 1, 2007, or 18 months prior to the date on which the CAIR NO_x ozone unit commences operation, the CAIR designated representative of any CAIR NO_x ozone season source required to have a Title V operating permit shall submit to the permitting authority a complete CAIR permit application (see 40 CFR Part 96.322) for each CAIR NO_x ozone season unit.
2. Renewal permit – At least 6 months but not more than 18 months prior to the date of CAIR permit expiration if the application is for a CAIR permit renewal (see 40 CFR part 96.322).

CAIR - Sulfur dioxide sources

1. Initial permit - By the later of July 1, 2008, or 18 months prior to the date on which the CAIR SO₂ unit commences operation, the CAIR designated representative of any CAIR SO₂ source required to have a Title V operating permit shall submit to the permitting authority a complete CAIR permit application (see 40 CFR Part 96.222) for each CAIR SO₂ unit.
2. Renewal permit – At least 6 months but not more than 18 months prior to the date of CAIR permit expiration if the application is for a CAIR permit renewal (see 40 CFR part 96.222).

Renewal applications shall be submitted with the Title V renewal applications.

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CLEAN AIR MERCURY RULE (CAMR)

(567 IAC 34.300 – 34.308 CAMR; 567 IAC subrule 23.1(2) - New Source Performance Standards, paragraph 23.1(2)"z" - Electric Utility Steam Generating Units, subrule 23.1(5) – Emission Guidelines, subrule 25.1(9) – Methods and Procedures, and rule 25.3 – Continuous Emission Monitoring under the Clean Air Mercury Rule (CAMR); 1990 Clean Air Act, as amended, Section 111; 40 CFR 60 Subparts Da and HHHH)

Utilities and other facilities which combust coal or coal-derived fuel and generate electricity for sale may be subject to CAMR program requirements, including the requirement to hold an CAMR permit under 40 CFR 60.4120 and 567 IAC 34.303.

Applicability:

Any stationary boiler or combustion turbine is a CAMR affected unit if it burns coal or coal-derived fuel, has served, on or after November 15, 1990, a generator of greater than 25 MW nameplate capacity that produces electricity for sale, except:

1. A qualifying cogeneration unit and not selling more than one-third of unit's potential electrical output, or 219,000 MWh, whichever is greater on an annual basis; or
2. A qualifying solid waste incineration unit combusting municipal waste which is subject to 40 CFR subparts Eb, or AAAA, or an approved state plan in accordance with emissions guidelines of 40 CFR 60 subparts Cb, or BBBB, or a federal plan of 40 CFR 62 subparts FFF, or JJJ.

Please read 40 CFR 60.4104 for complete applicability information and 40 CFR 60.4105 for retired unit exemptions.

CAMR Permits (Hg Budget Permits)

CAMR permits will be issued by the Iowa Department of Nature Resources. CAMR permits will be complete and separable portions of Title V permits, required only for sources subject to Title V, and issued, renewed, and revised according to Title V regulations except as provided otherwise by 40 CFR 60.4120 through 60.4124. CAMR permits will identify the facility and each CAMR unit, as well as the standard requirements under 40 CFR 60.4106. Each permit is deemed to incorporate automatically the definitions of terms under 40 CFR 60.4102 and, upon recordation by EPA, every allocation, transfer, or deduction of an Hg allowance to or from the compliance account of the Hg budget source.

Application Deadlines

1. Initial permit - By the later of July 1, 2008, or 18 months prior to the date on which the CAMR Hg budget unit commences operation, the CAMR designated representative of any CAMR Hg budget source required to have a Title V operating permit shall submit to the permitting authority a complete CAMR Hg budget permit application (see 40 CFR Part 60.4122) for each CAMR Hg budget unit.

2. Renewal permit – At least 6 months but not more than 18 months prior to the date of CAMR permit expiration if the application is for a CAMR permit renewal (see 40 CFR part 60.4122).

Renewal applications shall be submitted with the Title V renewal applications.

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